

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

In re Application of:
Peter G. Klimko
David P. Bingaman

Serial No.: 10/697,135 (Conf. #9753)

Filed: October 31, 2003

For: HISTONE DEACETYLASE INHIBITORS
FOR THE TREATMENT OF OCULAR
NEOVASCULAR OR EDEMATOUS
DISORDERS AND DISEASES

Group Art Unit: 1618

Examiner: Faye, Z.

Atty. Dkt. No.: 2439 US

**RESPONSE TO RESTRICTION REQUIREMENT
DATED JANUARY 18, 2007**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Paper is filed in response to the Restriction Requirement mailed January 18, 2007, for which the one-month date for response is February 20, 2007, by virtue of February 18, 2007 being a Sunday and February 19, 2007 being a Federal holiday.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Alcon, Inc. Deposit Account No. 501051.

Reconsideration of the application is respectfully requested.

I. RESPONSE TO RESTRICTION REQUIREMENT

The restriction requirement under 35 U.S.C. §121 states that the present application claims patentably distinct species of: (1) the compounds of claims 3 and 6; and (2) the disorders of claims 4 and 5. For purposes of fully responding to the restriction requirement, Applicant elects the compound set forth below for use in the treatment of age-related macular degeneration.



Claims 1-5 read on the elected species. Applicant reserves the right to request consideration of claims to additional species which depend from or require all limitations of an allowable generic claim as provided by 37 C.F.R. 1.141.

The Examiner is invited to contact the undersigned attorney at (817) 551-4321 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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Date: January 15, 2007